

CERTIFICATE OF PUBLICATION

From THE NEWS-POST Frederick, Md.

LIBER

21 PAGE 201 Frederick, Md. May 24, 1962.

This is to certify, That the annexed Order of Publication was published in The Frederick Post a newspaper published in Frederick County, once a week for four (4) successive weeks, the last of such publications being made not less than 30 days prior to the twenty sixth day of June, 1962.

THE NEWS-POST

Per *Geo. B. Halaplanis*

Filed May 25, 1962

It is Shown this 24th day of April, 1962, by the Clerk of the Court for Frederick County, sitting as a Court of Equity, and by the authority aforesaid, ORDERED that the Complainant, by causing a copy of this Order to be inserted in some newspaper published in said Frederick County, once a week in each of four successive weeks, the last of such publications to be made not less than thirty days before the 26th day of June, 1962, give notice to the unknown heirs, devisees, personal representatives, descendants or successors of Jacob P. Hummer, deceased, whether residents or non-residents, of the object and substance of this Bill, warning them to appear in this Court in person or by solicitor, on or before the 26th day of June, 1962, next, to show cause, if any they have, why a Decree ought not to be passed as prayed.

ELLIS C. WACHTER,
Clerk

GLASS & BURGEE
Solicitors for Complainants
Filed: April 24, 1962
True Copy 1962
ELLIS C. WACHTER, Clerk

NO. 1961 EQUITY
IN THE CIRCUIT COURT FOR
FREDERICK COUNTY, MARYLAND
ALVA F. RICE and
MYRTLE M. RICE, HIS WIFE

vs.
THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES,
DESCENDANTS OR SUCCESSORS IN
INTEREST OF JACOB P.
HUMMER, DECEASED.

ORDER OF PUBLICATION
The object of this Bill is that the Court may take jurisdiction in the premises and enter a Decree removing the cloud upon the title of the Complainants and that the Court shall declare that the Complainants have a good and marketable fee simple title to the property described in the Bill of Complaint, and may sell or convey or otherwise deal with said property without regard to the claims of the unknown heirs, devisees, personal representatives, descendants or successors of Jacob P. Hummer, deceased.

The Bill recites that the Complainants are the owners, in fee simple, of all that lot or part of a lot or parcel of land, situate, lying and being in Lewistown Station District, in Frederick County, State of Maryland, along by near the public road leading from Neunfeindel to the Frederick City Reservoir (where or near to which there was a C.C.C. Camp), and being more particularly described as follows: Beginning at an iron pipe driven in the ground at the northern edge of the said road, between the land conveyed and the land of Eaton on the east, and running thence in a northwesterly direction in a straight line 445 feet, more or less, to another iron pipe; thence in a straight line in a southerly direction, 204 feet, more or less, to an iron pipe at the said northern edge of the road; and thence with the northern edge of said road in an easterly direction, 138 feet, to the place of beginning, containing 25 acres of land, more or less, being the same property that was conveyed to the Complainants by Martin W. Rice and Ethel E. Rice, his wife, by deed dated the 15th day of June, 1953, and recorded in Liber 424, Folio 866, one of the Land Records of Frederick County, Maryland; that the above described real estate is a portion of the property that was conveyed by Alva F. Rice and Mattie M. Rice, his wife, to Martin W. Rice and Ethel E. Rice, his wife, a predecessor in title to the Complainants, by deed dated the 24th day of March, 1907, and recorded in Liber 406, Folio 132, one of the Land Records of Frederick County, Maryland; that the above described real estate is a portion of the property that was conveyed by Foster H. Bickenshaft and Matilda V. Bickenshaft, his wife, to Alva F. Rice and Mattie M. Rice, his wife, the Complainants by deed dated the 17th day of September, 1909, and recorded in Liber 416, Folio 563, one of the Land Records of Frederick County, Maryland; that the above described real estate is a portion of the property that was conveyed by William C. Mahr and Myrtle Mahr, his wife, to Foster H. Bickenshaft and Matilda V. Bickenshaft, his wife, a predecessor in title to the Complainants, by deed dated the 27th day of February, 1909, and recorded in Liber 416, Folio 428, one of the Land Records of Frederick County, Maryland; that the above described real estate is a portion of the property that was conveyed by Foster H. Bickenshaft and Matilda V. Bickenshaft, his wife, unto William C. Mahr, his wife, and Matilda V. Bickenshaft, his wife, a predecessor in title to the Complainants, by deed dated the 6th day of February, 1909, and recorded in Liber 416, Folio 166, one of the Land Records of Frederick County, Maryland; and that in said deed it is stated that one Jacob Hummer entered into possession of the hereinafter described real estate and held the same openly and notoriously, claiming it as his own from about the year 1880 until the year 1921, and whereas the said Foster H. Bickenshaft and Matilda V. Bickenshaft, his wife, in the year 1907 entered into the said real estate and have since claimed it as and for their own and have held the same openly, adversely and notoriously and have sold the taxes upon said real estate from the year 1907 until the present date, and whereas it is the intention of the said Foster H. Bickenshaft and Matilda V. Bickenshaft, his wife, to place upon record their claim to said property; that a question has been raised as to whether the Complainants have a good and marketable title to said premises by reason of the fact that there is nothing of record to show that the said Foster H. Bickenshaft and Matilda V. Bickenshaft, his wife, were possessed of a good and marketable title to the above described premises upon the date of their deed to William C. Mahr and Myrtle Mahr, his wife; that the Complainants are now in possession of the premises under claim of right and color of title, and the predecessors in title of the Complainants have possessed said premises under claim of right and color of title since the 6th day of February, 1909; that the Complainants have made diligent effort to ascertain the status of this property and have also made diligent effort to determine with the proper parties of interest and in this action to quiet title to the above described premises, but they have been unable to ascertain any such information, or to discover any formal conveyance of said property through this period of time; that the absence of formal instruments of conveyance, or devise, in the chain of title to this property constitute a cloud upon the title of the Complainants, and although the Complainants claim to hold a valid fee simple title, the same cannot be established at once without the removal of the aforesaid cloud upon the title of the Complainants.